

**CHAPTER NO. 769**

**HOUSE BILL NO. 3364**

**By Representatives Sontany, Briley, Odom, Sherry Jones, Garrett, Langster, West, Harwell, Mike Turner**

**Substituted for: Senate Bill No. 3256**

**By Senators Harper, Haynes, Henry, Burks**

AN ACT to amend Tennessee Code Annotated, Section 41-4-142, relative to services for inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-4-142, is amended by deleting subsection (b) and substituting instead the following new subsections:

(b) Any county or municipality may, by resolution or ordinance adopted by a two-thirds (2/3) vote of its legislative body, establish and implement a plan authorizing the jail or workhouse administrator of such county or municipality to charge an inmate committed to such jail or workhouse a nominal fee set by the legislative body at the time of adoption for the following special services, when provided at the inmate's request:

(1) Participation in GED or other scholastic testing for which the administering agency charges a fee for each test administered;

(2) Escort by correctional officers to a hospital or other health care facility for the purpose of visiting an immediate family member who is a patient at such facility; or

(3) Escort by correctional officers for the purpose of visiting a funeral home or church upon the death of an immediate family member.

(c) A plan adopted pursuant to subsection (a) or (b) may authorize the jail or workhouse administrator to deduct the amount from such inmate's jail trust account or any other account or fund established by or for the benefit of such inmate while incarcerated. Nothing in this section shall be construed as authorizing a county or municipality to deny necessary clothing or hygiene items or to fail to provide the services specified in subsection (b) based on the inmate's inability to pay such fee or costs.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 12, 2004

APPROVED this 24<sup>th</sup> day of May 2004

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
PHIL BREDESEN, GOVERNOR